

REMARKS

Claims 1-9, 11-20, 22-26 and 28-30 are pending in the application.

The Applicants respectfully request the Examiner to reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

35 USC 112 Rejection of Claims 1-9, 11-20 and 28-30

Claims 1-9, 11-20 and 28-30 were rejected under 35 U.S.C. §112, second paragraph. In particular, claim 30 allegedly lacks antecedent basis. In particular, claims 1-9, 11-20 and 28-30 are allegedly indefinite in reciting a "user accessible voice message memory".

Claims 1-9, 11-20 and 28-30 have been reviewed and are amended where appropriate. It is respectfully submitted that claims 1-9, 11-20 and 28-30 are now in full conformance with 35 USC 112. It is respectfully requested that the rejection be withdrawn.

Claims 28-30 over Knuth

In the Office Action, claims 28-30 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,400,393 to Knuth et al. ("Knuth"). The Applicants respectfully traverse the rejection.

Claims 28-30 recite a system and method for dynamically adjusting a total storage space allocated to each of a user accessible first memory area and a second memory area from a common total memory space to optimize a space available for the user accessible first memory area and the second memory area, the user accessible first memory area is used to store a user accessible voice message and the second memory area is used to store a user deleted voice message.

The Examiner alleges that Knuth discloses dynamically allocating memory to user's mailboxes and a common memory area (See Office Action, page 3). However, Knuth discloses dynamically allocating RAM memory to store incoming and outgoing messages (See col. 2, lines 30-32). Knuth dynamically

allocating RAM memory to store incoming and outgoing messages is **NOT** dynamically adjusting storage space allocated to a user accessible first memory area used to store a user accessible voice message and the second memory area used to store a user deleted voice message, as recited by claims 28-30.

Accordingly, for at least all the above reasons, claims 28-30 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 1, 12 and 22 over Jones in view of Becker

In the Office Action, claims 1, 12 and 22 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,522,727 to Jones in view of U.S. Patent No. 5,699,411 to Becker et al. ("Becker"). The Applicants respectfully traverse the rejection.

Claims 1, 12 and 22 recite a system and method wherein a voice message is stored in a user accessible voice message memory, and upon a user selecting a keypad option to delete the voice message from the user accessible voice message memory, the voice message is automatically compressed, moved and stored in a deleted voice message memory.

Jones discloses a system and method of performing archiving of voice messages and retrieval of the archived voice messages (See Abstract). Four possibilities of when a voice message is deleted are Delete Immediately, i.e., the voice message is placed on a queue to be archived with a user no longer having access to the voice message, Delete After Transfer, i.e., the voice message is deleted after confirmation that the voice message has been archived, Delete After Reproduction, i.e., the voice message is deleted immediately after confirmed reproduction of the message on an archival medium, Delete Upon User Receipt, i.e., the voice message is deleted only after the user has received the reproduction on the archival medium and confirms receipt (See Jones, Table 3).

Jones discloses giving a user a keypad option to archive a voice message, with the archiving process deleting a voice message at various times.

Thus, Jones fails to disclose giving a user an option to delete a voice message, even if deletion is performed as part of another option. Therefore, Jones fails to disclose giving a user a keypad option to delete a voice message, much less a user selecting a keypad option to delete the voice message from the user accessible voice message memory, the voice message is automatically compressed, moved and stored in a deleted voice message memory, as recited by claims 1, 12 and 22.

The Examiner acknowledges that Jones fails to disclose compressing a voice message when it is archived (See Office Action, page 4). However, claims 1, 12 and 22 **do not** recite archiving. Applicants' claimed features are directed toward a novel system and method of handling user deleted voice messages. A user option to archive a voice message is **NOT option** a user to delete a voice message.

The Examiner relies on Becker to allegedly disclose compressing a voice message when it is archived (See Office Action, page 4). However, as discussed above, Applicants are **NOT** claiming archiving.

Becker appears to disclose compressing and archiving a voice message (col. 14, lines 27-33). However, as discussed above, claims 1, 12 and 22 are directed toward compressing a user deleted voice message. Therefore, even if it were obvious to modify Jones with the disclosure of Becker, the theoretical result would be a system and method for compressing and archiving a voice message **NOT** a system and method wherein a voice message is stored in a user accessible voice message memory, and upon a user selecting a keypad option to delete the voice message from the user accessible voice message memory, the voice message is automatically compressed, moved and stored in a deleted voice message memory, as recited by claims 1, 12 and 22.

The Examiner acknowledges in the Response to Arguments section of the Office Action that Jones discloses a user selecting an option to archive voice messages that causes the voice messages to be deleted (See Office Action, pages 13 and 14). However, Jones fails to disclose or suggest giving a user the option to delete a voice message, much less the option to

delete causing the voice message to be compressed and sent to a deleted voice message memory, as recited by claims 1, 12 and 22.

Accordingly, for at least all the above reasons, claims 1, 12 and 22 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 1-3, 12-14, 22 and 23 over Miner in view of Bobick and Young

In the Office Action, claims 1-3, 12-14, 22 and 23 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,021,181 to Miner et al. ("Miner") in view of U.S. Patent No. 6,535,583 to Bobick et al. ("Bobick"), and further in view of U.S. Patent No. 6,058,180 to Young ("Young"). The Applicants respectfully traverse the rejection.

Claims 1-3, 12-14, 22 and 23 recite a system and method wherein a voice message is stored in a user accessible voice message memory, and upon a user selecting a keypad option to delete the voice message from the user accessible voice message memory, the voice message is automatically compressed, moved and stored in a deleted voice message memory.

The Examiner acknowledges that Miner fails to disclose compressing a voice message stored in a trash bin (See Office Action, page 5). The Examiner relies on Bobick and Young to allegedly make up for the deficiencies in Miner to arrive at the claimed features. The Applicants respectfully disagree.

Bobick and Young, as the Examiner acknowledges, disclose compressing a voice message that is in a conventional in-box (See Office Action, page 5 and 6; Bobick, Abstract and col. 29, lines 38-53; Young, col. 7, lines 66-67 and col. 8, lines 1-10). Thus, Bobick and Young fail to disclose the acknowledged deficiency in Miner, i.e., compressing a voice message stored in a trash bin. As the Examiner acknowledges, Bobick and Young fails to disclose or **suggest** compressing a voice message for storage in a memory area for storing a deleted voice message, as recited by claims 1-3, 12-14, 22 and 23.

Therefore, even if it were obvious to theoretically modify Miner with the disclosure of Bobick and Young (which it is not), Miner would at best compress voice messages stored in an in-box **NOT** compressing a voice message for storage in a memory area for storing a deleted voice message, as recited by claims 1-3, 12-14, 22 and 23.

Moreover, "Teachings of references can be combined only if there is some suggestion or incentive to do so." In re Fine, 5 USPQ2d 1596,1600 (Fed. Cir. 1988) (quoting ACS Hosp. Sys. v. Montefiore Hosp., 221 USPQ 929, 933 (Fed. Cir. 1984)) (emphasis in original). Miner fails to disclose any type of deficiency that would benefit from the allegedly obvious modification. Miner's fails to disclose a limited amount of storage or other deficiency that would benefit from the use of compression. Therefore, modifying Miner without some type of disclosed reason to modify Miner is based on improper hindsight.

Accordingly, for at least all the above reasons, claims 1-3, 12-14, 22 and 23 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 4, 5, 15 and 24 over Miner in view of Bobick, Young and O'Neal

In the Office Action, claims 4, 5, 15 and 24 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Miner in view of Bobick and Young, and further in view of U.S. Patent No. 6,021,181 to Miner et al. ("Miner") in view of U.S. Patent No. 6,535,583 to Bobick et al. ("Bobick"), and further in view of U.S. Patent No. 6,058,180 to Young ("Young"). The Applicants respectfully traverse the rejection.

Claims 4, 5, 15 and 24 are dependent on claims 1, 12 and 22, and are allowable for at least the same reasons as claims 1, 12 and 22.

Claims 4, 5, 15 and 24 recite a system and method wherein a voice message is stored in a user accessible voice message memory, and upon a user selecting a keypad option to delete the voice message from the user accessible voice message memory, the voice message is automatically compressed, moved and stored in a deleted voice message memory.

As discussed above, Miner in view of Bobick and Young fails to disclose, teach or suggest a system and method wherein a voice message is stored in a user accessible voice message memory, and upon a user selecting a keypad option to delete the voice message from the user accessible voice message memory, the voice message is automatically compressed, moved and stored in a deleted voice message memory, as recited by claims 4, 5, 15 and 24.

The Examiner relies on O'Neal to allegedly make up for the deficiencies in Miner in view of Bobick and Young. The Applicants respectfully disagree.

O'Neal at col. 9, lines 59-62 is relied on by the Examiner to allegedly disclose permanently deleting a voice message entry in a trash folder (See Office Action, page 7). However, a reading of O'Neal in its entirety fails to disclose or suggest a use of compression for any reason, much less compressing a voice message for storage in a memory area for storing a deleted voice message, as recited by claims 4, 5, 15 and 24.

Thus, Miner modified by the disclosure of Bobick, Young and O'Neal would at best result in compressing voice messages stored in an in-box **NOT** compressing a voice message for storage in a memory area for storing a deleted voice message, as recited by claims 4, 5, 15 and 24.

Accordingly, for at least all the above reasons, claims 4, 5, 15 and 24 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 6 and 16-18 over Miner in view of Bobick, Young, O'Neal and Pickett

In the Office Action, claims 6 and 16-18 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Miner in view of Bobick, Young and O'Neal, and further in view of U.S. Patent No. 6,266,340 to Pickett et al. ("Pickett"). The Applicants respectfully traverse the rejection.

Claims 6 and 16-18 are dependent on claims 1 and 12, and are allowable for at least the same reasons as claims 1 and 12.

Claims 6 and 16-18 recite a system and method wherein a voice message is stored in a user accessible voice message memory, and upon a user selecting a keypad option to delete the voice message from the user accessible voice message memory, the voice message is automatically compressed, moved and stored in a deleted voice message memory.

As discussed above, Miner in view of Bobick, Young and O'Neal fails to disclose, teach or suggest a system and method wherein a voice message is stored in a user accessible voice message memory, and upon a user selecting a keypad option to delete the voice message from the user accessible voice message memory, the voice message is automatically compressed, moved and stored in a deleted voice message memory, as recited by claims 6 and 16-18.

The Examiner relies on Pickett to allegedly make up for the deficiencies in Miner in view of Bobick, Young and O'Neal. The Applicants respectfully disagree.

Pickett at col. 53, lines 37-43 and 50-63 is relied on by the Examiner to allegedly disclose a voice mail that is permanently deleted at a predetermined time interval (See Office Action, page 8). However, a reading of Pickett at col. 8, lines 48-64 discloses voice compression and data compression for data transmission **NOT** compressing a voice message for storage in a memory area for storing a deleted voice message, as recited by claims 6 and 16-18.

Thus, Miner modified by the disclosure of Bobick, Young, O'Neal and Pickett would at best result in compressing voice messages stored in an in-box and for transmission **NOT** compressing a voice message for storage in a memory area for storing a deleted voice message, as recited by claims 6 and 16-18.

Accordingly, for at least all the above reasons, claims 6 and 16-18 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 7, 8, 19 and 25 over Miner in view of Bobick, Young, O'Neal and Garson

In the Office Action, claims 7, 8 and 19 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Miner in view of Bobick, Young and O'Neal, and further in view of U.S. Patent No. 5,689,550 to Garson et al. ("Garson"), with claim 25 rejected under 35 U.S.C. §103(a) as allegedly being obvious over Miner in view of Bobick and Young, and further in view of Garson. The Applicants respectfully traverse the rejection.

Claims 7, 8, 19 and 25 are dependent on claims 1, 12 and 22, and are allowable for at least the same reasons as claims 1, 12 and 22.

Claims 7, 8, 19 and 25 recite a system and method wherein a voice message is stored in a user accessible voice message memory, and upon a user selecting a keypad option to delete the voice message from the user accessible voice message memory, the voice message is automatically compressed, moved and stored in a deleted voice message memory.

As discussed above, Miner in view of Bobick, Young and O'Neal fails to disclose, teach or suggest a system and method wherein a voice message is stored in a user accessible voice message memory, and upon a user selecting a keypad option to delete the voice message from the user accessible voice message memory, the voice message is automatically compressed, moved and stored in a deleted voice message memory, as recited by claims 7, 8, 19 and 25.

The Examiner relies on Garson to allegedly make up for the deficiencies in Miner in view of Bobick, Young and O'Neal. The Applicants respectfully disagree.

Garson at col. 16, lines 23-32 is relied on by the Examiner to allegedly disclose that when voice messages in a memory area reaches its limit by percentage of memory area, or by the number of calls, the oldest record is deleted (See Office Action, pages 9 and 12). However, a reading of Garson at col. 8, lines 1-11 discloses using voice compression for a call **NOT** compressing

a voice message for storage in a memory area for storing a deleted voice message, as recited by claims 7, 8, 19 and 25.

Thus, Miner modified by the disclosure of Bobick, Young, O'Neal and Garson would at best result in compressing voice messages stored in an in-box and during a call **NOT** compressing a voice message for storage in a memory area for storing a deleted voice message, as recited by claims 7, 8, 19 and 25.

Accordingly, for at least all the above reasons, claims 7, 8, 19 and 25 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 9, 20 and 26 over Miner in view of Bobick, Young, O'Neal and Sweet

In the Office Action, claims 9 and 20 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Miner in view of Bobick, Young and O'Neal, and further in view of U.S. Patent No. 5,163,085 to Sweet et al. ("Sweet"), with claim 26 rejected under 35 U.S.C. §103(a) as allegedly being obvious over Miner in view of Bobick and Young, and further in view of Sweet. The Applicants respectfully traverse the rejection.

Claims 9, 20 and 26 are dependent on claims 1, 12 and 22, and are allowable for at least the same reasons as claims 1, 12 and 22.

Claims 9, 20 and 26 recite a system and method wherein a voice message is stored in a user accessible voice message memory, and upon a user selecting a keypad option to delete the voice message from the user accessible voice message memory, the voice message is automatically compressed, moved and stored in a deleted voice message memory.

As discussed above, Miner in view of Bobick, Young and O'Neal fails to disclose, teach or suggest a system and method wherein a voice message is stored in a user accessible voice message memory, and upon a user selecting a keypad option to delete the voice message from the user accessible voice message memory, the voice message is automatically compressed, moved

and stored in a deleted voice message memory, as recited by claims 9, 20 and 26.

The Examiner relies on Sweet to allegedly make up for the deficiencies in Miner in view of Bobick, Young and O'Neal. The Applicants respectfully disagree.

Sweet at col. 12, lines 53-60 is relied on by the Examiner to allegedly disclose that when voice messages in a memory file reaches a predetermined percentage level, the oldest voice messages in the voice file are deleted (See Office Action, page 10). However, a reading of Sweet at col. 3, lines 52-62 discloses using voice compression for incoming digitized voice signals **NOT** compressing a voice message for storage in a memory area for storing a deleted voice message, as recited by claims 9, 20 and 26.

Thus, Miner modified by the disclosure of Bobick, Young, O'Neal and Sweet would at best result in compressing voice messages stored in an in-box and for incoming digitized voice signals **NOT** compressing a voice message for storage in a memory area for storing a deleted voice message, as recited by claims 9, 20 and 26.

Accordingly, for at least all the above reasons, claims 9, 20 and 26 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claim 11 over Miner in view of Bobick, Young and Newton

In the Office Action, claim 11 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over Miner in view of Bobick and Young, and further in view of U.S. Patent No. 5,978,757 to Newton ("Newton"). The Applicants respectfully traverse the rejection.

Claim 11 is dependent on claim 1, and is allowable for at least the same reasons as claim 1.

Claim 11 recites a system wherein a voice message is stored in a user accessible voice message memory, and upon a user selecting a keypad option to delete the voice message from the user accessible voice message

memory, the voice message is automatically compressed, moved and stored in a deleted voice message memory.

As discussed above, Miner in view of Bobick and Young fails to disclose, teach or suggest a system and method wherein a voice message is stored in a user accessible voice message memory, and upon a user selecting a keypad option to delete the voice message from the user accessible voice message memory, the voice message is automatically compressed, moved and stored in a deleted voice message memory, as recited by claim 11.

The Examiner relies on Newton to allegedly make up for the deficiencies in Miner in view of Bobick and Young. The Applicants respectfully disagree.

Newton at col. 4, lines 1-9, 20-32 and col. 15-18 is relied on by the Examiner to allegedly disclose new voice messages with a lower compression ratio are deleted from a new voice message storage area, compressed with a higher compression ratio, and then stored in a compressed message memory area (See Office Action, page 11). However, a reading of Newton in its entirety fails to disclose or suggest compression of a voice message compressing a voice message for storage in a memory area for storing a deleted voice message, as recited by claim 11.

Thus, Miner modified by the disclosure of Bobick, Young and Newton would at best result in compressing voice messages stored in an in-box **NOT** compressing a voice message for storage in a memory area for storing a deleted voice message, as recited by claim 11.

Accordingly, for at least all the above reasons, claim 11 is patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,
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